

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Attorney's Docket No.: 300030483 US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Rate Adaptive Optical Communication System and Method Thereof

the specification of which

\*\*\* X is attached hereto;

\*\*\*        was filed on                      as Application Serial No.           , and was amended on                      (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
0306087.8	GB	18 March 2003	<u>X</u> Yes <u>  </u> No
Number	Country	Day/Mo/Yr Filed	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>  </u> Yes <u>  </u> No
Number	Country	Day/Mo/Yr Filed	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>  </u> Yes <u>  </u> No
Number	Country	Day/Mo/Yr Filed	

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the

national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status) (patented, pending, abandoned)

**POWER OF ATTORNEY:** As a named Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Joseph V. Gamberdell, Jr., Reg. No. 44,695 and all other attorneys listed under Customer No. 2512

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Customer No.: 2512

Joseph V. Gamberdell, Jr., (203)-259-1800

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Antony K Spilman

Inventor's Signature:

Dated: 3/03/04

Residence: Needham Market, Ipswich, Suffolk

Citizenship: British

Post Office Address: 9 Meadow View, Needham Market, Ipswich, Suffolk, IP6 8RH

Full name of 2<sup>nd</sup> joint inventor, if any: David G Cunningham

Inventor's Signature:

Dated: 3/03/04

Residence: Woodbridge, Suffolk, UK

Citizenship: British

Post Office Address: Pound Cottage, The Street, Dennington, Woodbridge, Suffolk, IP13 8JK

Full name of 3<sup>rd</sup> joint inventor, if any:

Inventor's Signature:

Dated:

Residence:

Citizenship:

Post Office Address: